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Via ECF

December 22, 2022

Magistrate Judge Arlene R. Lindsay
United States District Court
Eastern District of New York
814 Federal Plaza
Central Islip, New York 11722

RE: *Gutierrez et al. v. Davinci's Restaurant & Lounge, et al.*
EDNY Case No.: 20-cv-05380 (GRB)(ARL)

Dear Magistrate Judge Lindsay:

This firm represents Defendants Christina Bouzalas, George Bouzalas and Jose Bonilla (the "Predecessor Defendants") in this action.¹ This letter shall serve as the joint letter regarding outstanding discovery between Plaintiffs and Predecessor Defendants.

As a preliminary matter, four (4) of the six (6) Plaintiffs in this matter filed a Notice of Acceptance of Predecessor Defendants' Rule 68 Offers of Judgment on December 19, 2022. See Dkt. No. 57 filed on behalf of Plaintiffs Noel Baquedano, Jose Gutierrez, Juan Montenegro and Harold Ventura.

Additionally, the two (2) other Plaintiffs, Angel Rodriguez ("Angel") and Willian Rodriguez ("Willian") have no claims remaining against the Predecessor Defendants. In fact, Angel's claims will be withdrawn as per representation by Plaintiffs' counsel at the in-person meet and confer on December 15, 2022. Moreover, Willian did not allege any claims against the Predecessor Defendants (including Bell Blvd. Delight Corp.). Specifically, his alleged period of employment was entirely in 2020, well after the Defendant Javed Ali (and his company LB Pizza LLC) purchased the restaurant on August 26, 2019 from Predecessor Defendants.

Accordingly, there are no remaining claims at issue concerning the Predecessor Defendants and this action should be terminated against them.

¹ Predecessor Defendants' operated DaVinci's Restaurant & Lounge via Bell Blvd. Delight Corp. which has not been named as a party in this action. Moreover, Predecessor Defendants sold the restaurant to Defendant Javed Ali (along with his separate and distinct company LB Pizza LLC), his separate and distinct corporate entity) on August 26, 2019.

Thank you for your attention to this matter.

Respectfully submitted,

cc: all counsel of record (via ECF)

/s/ Matthew A. Brown, Esq.